

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Scott C. Reveille

Respondent

Civil Citation No. 76575

1572 Doxbury Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on June 8, 2010 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-112, 115; 12-3-106; 13-7-310, failure to clean up dog feces on a daily basis, failure to maintain rear yard in a clean and sanitary condition on residential property known as 1572 Doxbury Road, 21286.

On May 19, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Kim Wood issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$400.00 (four hundred dollars).

The following persons appeared for the Hearing and testified: Mary Reveille, Respondent and, Kim Wood, Baltimore County Code Enforcement Officer

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 27, 2010 for daily removal of animal feces. This Citation was issued on May 19, 2010.

B. Inspector Kim Wood testified that her initial inspection of this residential townhouse property found a significant quantity of dog feces in the yard. Re-inspection on May 4, 2010 found the yard cleaned up but re-inspection on May 19, 2010 found the yard covered in feces. Inspection the day before this Hearing found the yard cleaned up again. Inspector Wood further testified that there have been code enforcement cases in prior years for junk, trash, debris and dog feces on this property, in 2004, 2005, 2006 and 2007.

C. Failure to clean up dog feces violates prohibitions against accumulation of garbage on residential property, and creates food for rats. Respondent must clean up the dog feces on a daily basis. BCC Section 13-7-309, Section 13-7-310. Collected feces must be properly stored in the same manner as garbage, in waterproof cans with tight-fitting lids. BCC Section 13-4-201.

D. Mary Reveille testified that her husband owns the property and she resides there. She testified that she has cleaned up the yard and will keep it cleaned up. Because the violations were corrected prior to this Hearing, the civil penalty will be rescinded if re-inspection finds the violations have remained corrected during the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$400.00 (four hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if re-inspections between the date of this Final Order and September 15, 2010 find the violations have been corrected, with dog feces picked up on a daily basis.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17TH day of June 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.